

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

ROBERT E. LEGITT,

Plaintiff,

v.

KILOLO KIJAKAZI, Commissioner of The  
Social Security Administration,

Defendant.

Case No. 20-CIV-81-RAW-GLJ

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**ORDER REMANDING CASE FOR FURTHER PROCEEDINGS**

On November 4, 2022, the United States Magistrate Judge entered a Report and Recommendation recommending that the above-styled case be reversed and remanded for further proceedings [Docket No. 25]. The Defendant did not file an objection to the Magistrate Judge's Report and Recommendation. The Magistrate Judge found that correct legal standards were not applied by the Administrative Law Judge by her failure to properly hold the record open as to certain medical evidence; and as a result, her failure to develop and consider all the evidence (both physical and mental). The Magistrate Judge found that the decision was therefore not supported by substantial evidence and recommends further analysis upon remand of the case.

Upon full consideration of the record and the issues herein, this court finds that the Magistrate Judge's recommendation to reverse and remand for further proceedings is well supported. Accordingly, the Report and Recommendation of the Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 14<sup>th</sup> day of December, 2022.

A handwritten signature in black ink, reading "Ronald A. White". The signature is written in a cursive style with a large, stylized 'R' and 'W'.

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HONORABLE RONALD A. WHITE  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF OKLAHOMA